

103D CONGRESS
1ST SESSION

S. 655

To provide for the transfer of funds from the Harbor Maintenance Trust Fund to support nautical charting and marine navigational safety programs, and other activities of the National Oceanic and Atmospheric Administration related to commercial navigation, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 25 (legislative day, MARCH 3), 1993

Mr. LIEBERMAN (for himself, Mr. CHAFEE, Mr. DODD, Mr. MURKOWSKI, Mr. INOUE, Mr. KERRY, Mr. PELL, Mr. COHEN, Mr. STEVENS, and Mrs. FEINSTEIN) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To provide for the transfer of funds from the Harbor Maintenance Trust Fund to support nautical charting and marine navigational safety programs, and other activities of the National Oceanic and Atmospheric Administration related to commercial navigation, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Marine Navigation
5 Safety Improvement Act of 1993”.

1 **SEC. 2. ESTABLISHMENT OF MARINE NAVIGATION SAFETY**

2 **ACCOUNT.**

3 Section 9505 of the Internal Revenue Code of 1986
4 (relating to the Harbor Maintenance Trust Fund) is
5 amended—

6 (1) in subsection (c)—

7 (A) in paragraph (1), by inserting “except
8 as provided in paragraph (4)”, before “to carry
9 out”;

10 (B) in paragraph (3), by striking the pe-
11 riod at the end and inserting a comma; and

12 (C) by adding at the end the following new
13 paragraph:

14 “(4) to carry out subsections (a)(3) and (c) of
15 section 210 of the Water Resources Development
16 Act of 1986.”; and

17 (2) by adding at the end the following new sub-
18 section:

19 “(e) MARINE NAVIGATION SAFETY ACCOUNT.—

20 “(1) IN GENERAL.—There is hereby established
21 in the Harbor Maintenance Trust Fund a separate
22 account to be known as the ‘Marine Navigation
23 Safety Account’, consisting of such amounts as may
24 be transferred or credited to the account pursuant to
25 this subsection or section 9602(b).

26 “(2) TRANSFERS TO ACCOUNT.—

1 “(A) 1991 AND 1992.—Not later than 30
2 days after the date of the enactment of the Ma-
3 rine Navigation Safety Improvement Act of
4 1993, the Secretary shall transfer to the Marine
5 Navigation Safety Account an amount not to
6 exceed the sum of—

7 “(i) 8 percent of the amount of taxes
8 received in the Treasury under section
9 4461 for the calendar years 1991 and
10 1992; and

11 “(ii) interest on the amount referred
12 to in clause (i) for the calendar years 1991
13 and 1992, credited pursuant to section
14 9602(b)(3).

15 “(B) 1993 AND EACH SUBSEQUENT
16 YEAR.—For calendar year 1993, and for each
17 calendar year thereafter, the Secretary shall
18 transfer to the Marine Navigation Safety Ac-
19 count an amount equal to the sum of—

20 “(i) 8 percent of the amount of taxes
21 received in the Treasury pursuant to sec-
22 tion 4461; and

23 “(ii) interest on the amount referred
24 to in clause (i) for the calendar year, cred-
25 ited pursuant to section 9602(b)(3).

1 “(3) EXPENDITURES FROM ACCOUNT.—
 2 Amounts in the Marine Navigation Safety Account
 3 shall be available, as provided in appropriations
 4 Acts, to carry out the programs and activities of the
 5 National Oceanic and Atmospheric Administration of
 6 the Department of Commerce related to commercial
 7 marine navigation described in section 210(c) of the
 8 Water Resources Development Act of 1986.”.

9 **SEC. 3. AMENDMENT TO THE WATER RESOURCES DEVEL-**
 10 **OPMENT ACT OF 1986.**

11 Section 210 of the Water Resources Development Act
 12 of 1986 (33 U.S.C. 2238) is amended—

13 (1) in subsection (a)—

14 (A) by striking “and” at the end of para-
 15 graph (1);

16 (B) by striking the period at the end of
 17 paragraph (2) and inserting “; and”; and

18 (C) by adding at the end the following new
 19 paragraph:

20 “(3) from the Marine Navigation Safety Ac-
 21 count established under section 9505(e) of the Inter-
 22 nal Revenue Code of 1986, to carry out the pro-
 23 grams and activities of the National Oceanic and At-
 24 mospheric Administration of the Department of

1 Commerce related to commercial marine navigation
2 described in subsection (c).”; and

3 (2) by adding at the end the following new sub-
4 section:

5 “(c) COMMERCIAL MARINE NAVIGATION.—The
6 amounts authorized to be appropriated under subsection
7 (a)(3) shall remain available until expended, and shall—

8 “(1) be made available to the Secretary of Com-
9 merce to support, either directly or by contract, the
10 nautical charting and marine navigational safety
11 programs and such other activities of the National
12 Oceanic and Atmospheric Administration related to
13 commercial marine navigation as the Secretary de-
14 termines to be appropriate, including—

15 “(A) the nautical charting program;

16 “(B) marine tides and circulation pro-
17 grams;

18 “(C) charting survey ship support; and

19 “(D) marine weather services applicable to
20 commercial navigation safety in the waters of
21 the United States; and

22 “(2) be used by the Secretary of Commerce,
23 subject to the following conditions:

24 “(A)(i) Funds transferred to the Marine
25 Navigation Safety Account pursuant to section

1 9505(e)(2)(A) of the Internal Revenue Code of
2 1986 shall be used only for the purposes of ena-
3 bling, modernizing, enhancing, or expanding the
4 capabilities of the National Oceanic and Atmos-
5 pheric Administration to conduct the programs
6 and activities referred to in paragraph (1).

7 “(ii) No portion of the funds referred to in
8 clause (i) may be used to offset funds made
9 available for the purposes referred to in clause
10 (i) through appropriations to the Operations,
11 Research, and Facilities account of the National
12 Oceanic and Atmospheric Administration.

13 “(B)(i) Funds transferred to the Marine
14 Navigation Safety Account pursuant to section
15 9505(e)(2)(B) of the Internal Revenue Code of
16 1986 may be used for the following purposes:

17 “(I) Conducting the operational as-
18 pects of the programs and activities re-
19 ferred to in paragraph (1).

20 “(II) Enabling, modernizing, enhanc-
21 ing, or expanding the capabilities of the
22 National Oceanic and Atmospheric Admin-
23 istration to conduct the programs and ac-
24 tivities referred to in paragraph (1).

1 “(ii) Not more than 50 percent of the
2 funds referred to in clause (i) may be used to
3 offset funds previously made available for the
4 purposes referred to in clause (i) through ap-
5 propriations to the Operations, Research and
6 Facilities account of the National Oceanic and
7 Atmospheric Administration.”.

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